



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Nicholas A. SCEUSA

Application No.: 10/734,181

Filed: December 15, 2003

For: METHODS AND COMPOSITIONS FOR BLOCKING ...

Art Unit: 1616

Examiner: John D. Pak

Washington, D.C.

Atty.'s Docket: SCEUSA=3A

Date: January 19, 2006

**Confirmation No. 2090**

THE COMMISSIONER OF PATENTS  
U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Amendment  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**Interview Summary**Transmitted herewith is a [XX] ~~REPLY, RESTRICTION REQUIREMENT AND REMARKS~~ in the above-identified application.

[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[XX] No additional fee is required.

[ ] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 13	MINUS	** 20	0
INDEP.	* 2	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

- [ ] First - \$ 60.00
- [ ] Second - \$ 225.00
- [ ] Third - \$ 510.00
- [ ] Fourth - \$ 795.00

Month After Time Period Set

## Other Than Small Entity

## Response Filed Within

- [ ] First - \$ 120.00
- [ ] Second - \$ 450.00
- [ ] Third - \$ 1020.00
- [ ] Fourth - \$ 1590.00

Month After Time Period Set

[ ] Less fees (\$ ) already paid for \_\_\_ month(s) extension of time on \_\_\_\_\_.

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ \_\_\_\_\_.

[ ] A check in the amount of \$ \_\_\_\_\_ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

Anne M. Korbau  
Registration No. 25,884

Facsimile: (202) 737-3528  
Telephone: (202) 628-5197



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SCEUSA3A

In re Application of:	)	Confirmation No.: 2090
	)	
Nicholas A. SCEUSA	)	Art Unit: 1616
	)	
Appln. No.: 10/734,155	)	Examiner: John D. Pak
	)	
Filed: December 15, 2003	)	Washington, D.C.
	)	
For: METHODS AND COMPOSITION...	)	January 19, 2006
	)	

INTERVIEW SUMMARY

Customer Window, Mail Stop Amendment  
Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This is to make of record a telephone conference  
between Examiner Pak and the undersigned on January 13, 2006.

During the interview, the rejection of claims 1-3  
and 6-12 under 35 U.S.C. 112, first paragraph, was discussed.  
Examiner Pak maintained his position that there is no written  
description or enablement for treating autoimmune diseases by  
disrupting the calcium cycle, and thus claims for this process  
are overly broad. Examiner Pak suggested that if objective  
evidence were submitted to demonstrate that autoimmune disease  
can be successfully treated by disrupting the calcium cycle,

he would consider such evidence and, if it were convincing,  
would withdraw the rejection.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By: 

Anne M. Kornbau  
Registration No. 25,884

AMK:srd  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
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